

5985. Misbranding of "Dr. King's Liver and Kidney Alterative and Blood Cleanser." U. S. * * * v. Charles A. Ritchey. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 8368. I. S. No. 3222-1.)

On October 2, 1917, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles A. Ritchey, Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 10, 1916, from the State of Illinois into the State of Georgia, of a quantity of an article labeled in part "Dr. King's Liver and Kidney Alterative and Blood Cleanser," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

This product consists essentially of an aqueous solution of magnesium sulphate, sassafras oil, and aloes. No indications of podophyllum, rhubarb, salicylic acid, sarsaparilla, or tartrates.

Misbranding of the articles was alleged in the information for the reason that a certain statement borne on its label regarding it and the ingredients and substances contained therein, was false and misleading in that it conveyed the impression that the article was composed of podophyllin, sarsaparilla, wild cherry, rhubarb, gentian, acidum salicylicum, soda-et-potassi tartrate, and caramel, whereas, in truth and in fact, it was not composed of those ingredients, but consisted of Epsom salts, bitter cape aloes, quassia, caramel, and oil of sassafras.

It was further alleged in substance that the article was misbranded for the reason that certain statements appearing on the labeling falsely and fraudulently represented it as a remedy for erysipelas, scrofula, salt rheum, tetter, boils, old sores, scald head, syphilitic and mercurial diseases, scrofulous humors, syphilitic affections, cancerous humors, ringworms, catarrh, headache, dizziness, faintness at the stomach, pain in the back, female weakness, general debility, for all diseases arising from an impure state or low condition of the blood, in cases of dropsy, ague, eruptions, syphilis, and pain in kidneys and back, and for stomach trouble and rheumatism, when, in truth and in fact, it was not.

On December 31, 1917, defendant entered a plea of guilty to the information, and the court imposed a fine of \$200 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*